

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

MATTHEW D. MELTON,	§	
Plaintiff,	§	
	§	
v.	§	Civil Action No. 3:21-CV-2854-K
	§	
WAXAHACHIE POLICE	§	
DEPARTMENT and DETECTIVE	§	
ALBERT MARTINEZ #133/#161,	§	
Defendants.	§	

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

After reviewing all relevant matters of record in this case, including the Findings, Conclusions, and Recommendation of the United States Magistrate Judge and any objections thereto, in accordance with 28 U.S.C. § 636(b)(1), the undersigned District Judge is of the opinion that the Findings and Conclusions of the Magistrate Judge are correct and they are accepted as the Findings and Conclusions of the Court. *Plaintiff's Motion to Remand* (doc. 8) is **DENIED**, and *Defendants City of Waxahachie, Texas and Detective Albert Martinez's Rule 12(b)(6) Motion to Dismiss Plaintiff's Amended Petition #1* (doc. 14) is **GRANTED**. Any federal malicious prosecution claim and the plaintiff's claims against the Waxahachie Police Department are dismissed *sua sponte*. Plaintiff's

Objections are **OVERRULED**. By separate judgment, all of the plaintiff's claims will be dismissed with prejudice.

SO ORDERED.

Signed August 23rd, 2022.

A handwritten signature in black ink, reading "Ed Kinkeade", written in a cursive style.

ED KINKEADE
UNITED STATES DISTRICT JUDGE